

1999 DRAFTING REQUEST

Bill

Received: **08/10/1999**

Received By: **mdsida**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Walker (608) 266-9180**

By/Representing: **Missy**

This file may be shown to any legislator: NO

Drafter: **mdsida**

May Contact:

Alt. Drafters:

Subject: **Correctional System - parole
Correctional System - probation**

Extra Copies: **JEO**

Pre Topic:

No specific pre topic given

Topic:

Use of concealed weapons by probation, parole and extended supervision agents

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
/P1	mdsida 1 1/17/1999	jgeller 1 1/18/1999	martykr 1 1/18/1999	_____	lrb-docadmin 1 1/18/1999		
	mdsida 01/11/2000			_____			
	olsenje 01/16/2000			_____			
/P2	mdsida 01/20/2000	jgeller 01/21/2000	hhagen 0 1/24/2000	_____	lrb-docadmin 0 1/24/2000		State
	mdsida 0 1/27/2000	jgeller 0 1/27/2000		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Resuired</u>
/1			martykr 0 1/27/2000	_____	lrb_docadmin 0 1/27/2000	lrb_docadminState 0 1/27/2000	

FE Sent For:

G 02-10-00

<END>

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/P1	mdsida 11/17/1999	kgeller 11/18/1999	martykr 11/18/1999	_____	lrb-docadmin 11/18/1999		
	mdsida 01/11/2000			_____			
	olsenje 01/16/2000			_____			
/P2	mdsida 01/20/2000	kgeller 01/21/2000	hhagen 01/24/2000	_____	lrb-docadmin 01/24/2000		State

for Assembly

1 kgeller Km 1/27 5/16 1/27

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/P1	mdsida 1 1/17/1999	kgeller 1 1/18/1999	martykr 1 1/18/1999	_____	lrb_docadmin 1 1/18/1999		

Handwritten notes:
p2 1/21/99
kh/24
nh/j/24

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<END>

1999 DRAFTING REQUEST

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Wanted: As time permits

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By/Representing: Missy

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May Contact:

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Correctional System - probation

Extra Copies: JEO

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Use of concealed weapons by probation, parole and extended supervision agents

Instructions:

See Attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Resuired</u>
/P1	mdsida	AP 11/18 jlg	Km 11/18	RJ 11/18 Km 11/18			

FE Sent For:

<END>

P/c from Missy

Wants to allow ascender Unit in Milwaukee
to carry concealed weapons



SOON D-Note
1999 BILL

Regen

1 AN ACT to renumber and amend 941.23; and to create 941.23 (2) of the
2 statutes; relating to: allowing probation, parole and extended supervision
3 agents to carry a ~~concealed~~ ^(S) weapon.

(Handwritten notes: either of these, Anal. Inset B, None of these, S)

✓ *(Handwritten: Anal. Inset A)*
Analysis by the Legislative Reference Bureau

Current law prohibits a person from carrying a concealed and dangerous weapon. A person who violates this prohibition ^(S) may be fined not more than \$10,000 or imprisoned for not more than nine months or both. The prohibition ~~does not~~ apply to a peace officer, which is any person vested by law with a duty to maintain public order or to make arrests for crime.

This bill provides that ^{these three weapons-related} the prohibition against carrying a concealed and dangerous weapon ~~does not~~ apply to a probation, extended supervision and parole agent who goes armed while acting in his or her official capacity. *(Handwritten: who, Stat)* A probation, extended supervision and parole agent is a person authorized by the department of corrections to exercise control over a probationer, parolee or person on extended supervision.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 941.23 of the statutes is renumbered 941.23 (1) and amended to
5 read:

(Handwritten: and whose primary duty is to locate persons who have absconded from probation, parole or extended supervision and)

BILL

1 941.23 (1) Any person ~~except a peace officer~~ who goes armed with a concealed
2 and dangerous weapon is guilty of a Class A misdemeanor.

3 SECTION 2. 941.23 (2) of the statutes is created to read:

4 941.23 (2) Subsection (1) does not apply to any of the following:

5 (a) A peace officer.

6 (b) A probation, extended supervision and parole agent, as defined in s. 940.20

7 (2m) (a) 2., ^Ywho goes armed while acting in his or her official capacity.

(END)

8
Insert
2/7

~~not to be inserted into the statute~~
whose primary
duty is to locate persons who have
absconded from probation ~~probation~~, extended
supervision ~~or~~ or parole and

ANALYSIS INSERT A

^{NO}~~PP~~ With certain exceptions, current law also prohibits a person from **carrying a handgun** on the premises of a tavern.

2 **ANALYSIS INSERT B**

^{NO}~~PP~~ In addition, current law prohibits ~~prohibits~~ a person from carrying any firearm in a building owned or leased by the state or any political subdivision of the state. A person who violates this prohibition may be fined not more than [✓]\$1,000 or imprisoned for not more than [✓]90 days or both.

INSERT 2/7

SECTION 1. 941.235 (2) [✓] of the statutes is ^{renumbered 941.235(2) (intro.) and} amended to read:

941.235 (2) ^(intro.) This section does not apply to ~~peace~~ ^{plain} any of the following:

(a) Peace officers ~~or armed.~~

(b) Armed forces or military personnel who go armed in the line of duty [✓] ~~or to~~ any.

(c) Any person duly authorized by the chief of police of any city, village or town, the chief of the capitol police or the sheriff of any county to possess a firearm in any building under sub. (1).

History: 1979 c. 221; 1991 a. 172; 1993 a. 246.

SECTION 2. 941.235 (2) (d) [✓] of the statutes is created to read:

941235 (2) (d) A probation, extended supervision and parole agent, as defined ins. 940.20 (2m) (a) 2., ^{move} (whose primary duty is to locate persons who have absconded from probation, extended supervision or parole ~~and~~ [✓] who goes armed while acting in his or her official capacity ^{and} _____)

SECTION 3. 941.237 (3) (am) [✓] of the statutes is created to read:

941.237 (3) (am) A probation, extended supervision and parole agent, as 'defined in s. 940.20 (2m) (a) 2., [✓] whose primary duty is to locate persons who have

who gets armed while acting in his or her official capacity and

Fix component 3 4

1 absconded from probation, extended supervision or parole ~~and who goes armed while~~
2 ~~acting in his or her official capacity.~~

DRAFTERS NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3398/P1dn
MGD;.....

JLg

November 17, 1999 } new date

Missy:

1. The ~~draft~~^{bill} permits an agent to carry a handgun into a 'public building or a tavern while the agent is searching for an absconder. Is this okay?
2. As far as I know, no county other than Milwaukee has agents whose primary duty is to locate absconders. For that reason, and to ensure that the bill is not viewed as private or local legislation, the bill covers all agents throughout the state whose primary duty is to locate absconders.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3398/P1dn
MGD;jlg:km

November 18, 1999

Missy:

1. The bill permits an agent to carry a handgun into a public building or a tavern while the agent is searching for an absconder. Is this okay?

2. As far as I know, no county other than Milwaukee has agents whose primary duty is to locate absconders. For that reason, and to ensure that the bill is not viewed as private or local legislation, the bill covers all agents throughout the state whose primary duty is to locate absconders.

Michael Dsida
Legislative Attorney
Phone: (608) 266-9867

LRB - 3398

FIRST REGULAR SESSION

[TRULY AGREED TO AND FINALLY PASSED]

HOUSE SUBSTITUTE FOR

SENATE SUBSTITUTE FOR

SENATE BILL NO. 367 - training re firearms

89TH GENERAL ASSEMBLY

1997

L1179.06T

- Wants to cover only absconder unit
Wants to include provisions re credentials (i.e. badge etc.)
~~who purp for weapon agent~~
- Dept selects type + provides ammo, agent purchases weapon + holster

AN ACT

To repeal section 217.705, RSMo 1994, and sections 565.084 and 571.030, RSMo Supp. 1996, relating to probation and parole officers, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 217.705, RSMo 1994, and sections 565.084 and 571.030, RSMo Supp. 1996, are repealed and five new sections enacted in lieu thereof, to be known as sections 217.705, 217.710, 565.084, 571.030 and 1, to read as follows:

217.705. 1. The chairman shall appoint probation and parole officers and institutional parole officers as deemed necessary to carry out the purposes of the board.

2. Probation and parole officers shall investigate all persons referred to them for investigation by the board or by any court as provided by sections 217.750 and 217.760. They shall furnish to each offender released under their supervision a written statement of the conditions of probation, parole or conditional release and shall instruct the offender regarding these conditions. They shall keep informed of the offender's conduct and condition and use all suitable methods to aid and encourage the offender to bring about improvement in the offender's conduct and conditions.

3. The probation and parole officer may recommend and, by order duly entered, the court may impose and may at any time modify any conditions of probation. The court shall cause a copy of any such order to be delivered to the probation and parole officer and the offender.

4. Probation and parole officers shall keep detailed records of their work and shall make such reports in writing and perform such other duties as may be incidental to those enumerated that the

board may require.

5. Institutional parole officers shall investigate all offenders referred to them for investigation by the board and shall provide the board such other reports the board may require. They shall furnish the offender prior to release on parole or conditional release a written statement of the conditions of parole or conditional release and shall instruct the offender regarding these conditions.

6. The department shall furnish probation and parole officers and institutional parole officers, including supervisors, with credentials and a special badge which such officers and supervisors shall carry on their person at all times while on duty.

217.710.1. Probation and parole officers, supervisors and members of the board of probation and parole, who satisfy the requirements of subsection 2 of this section shall have the authority to carry firearms to carry out the provisions of sections 217.650 to 217.810 as authorized by policies and operating regulations of the department.

2. The department shall determine the content of the required firearms safety training and provide firearms certification and recertification training for probation and parole officers, supervisors and members of the board of probation and parole. A minimum of sixteen hours of firearms safety training shall be required. In no event shall firearms certification or recertification training for probation and parole officers and supervisors exceed the training required for officers of the state highway patrol.

3. The department shall determine the type of firearm to be carried by the officers, supervisors and members of the board of probation and parole.

4. Any officer, supervisor or member of the board of probation and parole that chooses to carry a firearm in the performance of such officer's, supervisor's or member's duties shall purchase the firearm and holster.

5. The department shall furnish such ammunition as is necessary for the performance of the officer's, supervisor's and member's duties,

565.084. 1. A person commits the crime of tampering with a judicial officer if, with the purpose[,] to harass, intimidate or influence a judicial officer [in an official proceeding] **in the performance of such officer's official duties**, he:

(1) Threatens or causes harm to such judicial officer or members of such judicial officer's family;

(2) Uses force, threats, or deception against or toward such judicial officer or members of such judicial officer's family;

(3) Offers, conveys or agrees to convey any benefit direct or indirect upon such judicial officer or such judicial officer's family;

(4) Engages in conduct reasonably calculated to harass or alarm such judicial officer or such judicial officer's family, **including stalking pursuant to section 565.225.**

2. A judicial officer for purposes of this section shall be a judge, arbitrator, special master,

juvenile court commissioner, state probation or parole officer, or referee.

3. A judicial officer's family for purposes of this section shall be:

- (1) His spouse; or
- (2) His or his spouse's ancestor or descendant by blood or adoption; or
- (3) His stepchild, while the marriage creating that relationship exists.

4. Tampering with a judicial officer is a class C felony.

57 1.030. 1. A person commits the crime of unlawful use of weapons if he knowingly:

(1) Carries concealed upon or about his person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, **RSMo**, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied school house, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any school, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, **RSMo**, while within any city, town, or village, and discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense.

2. Subdivisions (1), (3), (4), (6), (7), (8) and (9) of subsection 1 of this section shall not apply to or affect any of the following:

(1) All state, county and municipal law enforcement officers possessing the duty and power of

arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer; [and]

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole, authorized to carry a firearm pursuant to section 217.710, RSMo; and

[(7)] (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

3. Subdivisions (1), (5) and (8) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon business premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state.

4. Unlawful use of weapons is a class D felony unless committed under subdivision (5), (6), (7) or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

5. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

6. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

Section 1.1. In any action challenging any rule promulgated pursuant to the provisions of this bill, the agency as defined in section 536.010 promulgating such rule shall be required to prove by a preponderance of the evidence that the rule or threatened application of the rule is valid, is authorized by law, is not in conflict with any law and is not arbitrary and capricious.

2. The court shall award reasonable fees and expenses as defined in section 536.085 to any party who prevails in such action.

3. All rules promulgated pursuant to the provisions of this section shall expire on August 28 of the year after the year in which the rule became effective unless the General Assembly extends by statute the rule or set of rules beyond that date to a date specified by the General Assembly.

4. Any rulemaking authority granted pursuant to the provisions of this bill is subject to any rulemaking authority contained in Chapter 536 including any subsequent amendments to Chapter 536.

5. The provisions of this section shall terminate if legislation amending the provisions of section 536.024 has been signed into law prior to the effective date of this Act.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3398/PI

MGD:jlg:km

be-

RMR

SOON

PRELIMINARY **DRAFT - NOT READY FOR INTRODUCTION**

✓ responsible for locating absconders

Regen

- 1 AN **ACT** to renumber and amend 941.23 and 941.235 (2); and to create 941.23
- 2 (2), 941.235 (2) (d) and 941.237 (3) (am) of the statutes; relating to: ~~allowing~~
- 3 ~~probation, parole and extended supervision agents to carry weapons.~~

Analysis by the Legislative Reference Bureau

Current law prohibits a person from carrying a concealed and dangerous weapon. With certain exceptions, current law also prohibits a person from carrying a handgun on the premises of a tavern. A person who violates either of these prohibitions may be fined not more than \$10,000 or imprisoned for not more than nine months or both. In addition, current law prohibits a person from carrying any firearm in a building owned or leased by the state or any political subdivision of the state. A person who violates this prohibition may be fined not more than \$1,000 or imprisoned for not more than 90 days or both. None of these prohibitions apply to a peace officer, who is any person vested by law with a duty to maintain public order or to make arrests for crime.

This bill provides that these three weapons-related prohibitions do not apply to a probation, extended supervision and parole agent who goes armed while acting in his or her official capacity and whose primary duty is to locate persons who have absconded from probation, parole or extended supervision, (an absconder agent) and

Analysis Insert →

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:



INSERT 2-1 ←

x

1 SECTION 1. 941.23 of the statutes is renumbered 941.23 (1) and amended to
2 read:

3 941.23 (1) Any person ~~except a peace officer~~ who goes armed with a concealed
4 and dangerous weapon is guilty of a Class A misdemeanor.

5 SECTION 2. 941.23 (2) of the statutes is created to read:

6 941.23 (2) Subsection (1) does not apply to any of the following:

7 (a) A peace officer.

8 (b) A probation, extended supervision and parole agent, as defined in s. 940.20

9 (2m) (a) 2., whose primary duty is to locate persons who have absconded from
10 probation, extended supervision or parole and who goes armed while acting in his or
11 her offkial capacity

12 SECTION 3. 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
13 amended to read:

14 941.235 (2) (intro.) This section does not apply to ~~peace~~ any of the following:

15 (a) Peace officers or armed,

16 (b) Armed forces or military personnel who go armed in the line of duty ~~or to~~
17 any.

18 (Any person duly authorized by the chief of police of any city, village or town,
19 the chief of the capitol police or the sheriff of any county to possess a firearm in any
20 building under sub. (1).

21 SECTION 4. 941.235 (2) (d) of the statutes is created to read:

22 941.235 (2) (d) A probation, extended supervision and parole agent, as defined
23 ins. 940.20 (2m) (a) 2., who goes armed while acting in his or her official capacity and
24 whose primary duty is to locate persons who have absconded from probation,
25 extended supervision or parole.

and

1 **ANALYSIS INSERT**

⑨ The bill requires the department of corrections (DOC) to select the type of firearm ^{that} to be used by absconder agents ^{may use} and requires DOC to provide ammunition for the firearm to absconder agents. The absconder agent, however, is responsible for purchasing the firearm and the holster. In addition, under the bill, DOC must provide training regarding firearm safety and use to absconder agents.

them

The bill also requires DOC to provide credentials and a badge to each absconder agent.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

2 **INSERT 2-1** ✓

3 **SECTION 1.** 301.51 of the statutes is created to read:

4 301.51 Absconder agents. (1) **DEFINITION.** In this section, "absconder agent"
5 means a probation, parole or extended supervision agent whose primary duty is to
6 locate persons who have absconded from probation, parole or extended supervision.

7 (2) **ABSCONDER AGENT FIREARMS.** (a) The ✓ department shall select the type of
8 firearm that absconder agents may carry. If an absconder agent carries a firearm,
9 the absconder agent shall purchase the firearm and any holster needed for it, and the
10 department shall provide the needed ammunition. The department shall provide
11 training regarding firearm safety and use to absconder agents.

⑫ (3) **CREDENTIALS AND IDENTIFICATION.** (a) The department shall provide
13 credentials and a badge to each absconder agent, who shall carry them at all times
14 while on duty.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3398/P2
MGD;jlg:hmh

SOON

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



RMR

1 *Regen*
AN ACT to renumber and amend 941.23 and 941.235 (2); and **to create** 301.51,
2 941.23 (2), 941.235 (2) (d) and 941.237 (3) (am) of the statutes; **relating to:**
3 probation, parole and extended supervision agents responsible for locating
4 absconders.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from carrying a concealed and dangerous weapon. With certain exceptions, current law also prohibits a person from carrying a handgun on the premises of a tavern. A person who violates either of these prohibitions may be fined not more than \$10,000 or imprisoned for not more than nine months or both. In addition, current law prohibits a person from carrying any firearm in a building owned or leased by the state or any political subdivision of the state. A person who violates this prohibition may be fined not more than \$1,000 or imprisoned for not more than 90 days or both. None of these prohibitions apply to a peace officer, who is any person vested by law with a duty to maintain public order or to make arrests for crime.

This bill provides that these three weapons-related prohibitions do not apply to a probation, extended supervision and parole agent whose primary duty is to locate persons who have absconded from probation, parole or extended supervision (an absconder agent) and who goes armed while acting in his or her official capacity.

The bill requires the department of corrections (DOC) to select the type of firearm that absconder agents may use and requires DOC to provide ammunition for the firearm to them. The absconder agent, however, is responsible for purchasing the

firearm and the holster. In addition, under the bill, DOC must provide training regarding firearm safety and use to absconder agents.

The bill also requires DOC to provide credentials and a badge to each absconder agent.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 301.51 of the statutes is created to read:

2 **301.51 Absconder agents. (1) DEFINITION.** In this section, "absconder agent"
3 means a probation, parole or extended supervision agent whose primary duty is to
4 locate persons who have absconded from probation, parole or extended supervision.

5 **(2) ABSCONDER AGENT FIREARMS.** (a) The department shall select the type of
6 firearm that absconder agents may carry. If an absconder agent carries a firearm,
7 the absconder agent shall purchase the firearm and any holster needed for it, and the
8 department shall provide the needed ammunition. The department shall provide
9 training regarding firearm safety and use to absconder agents.

10 **(3) CREDENTIALS AND IDENTIFICATION.** The department shall provide credentials
11 and a badge to each absconder agent, who shall carry them at all times while on duty.

12 **SECTION 2.** 941.23 of the statutes is renumbered 941.23 (1) and amended to
13 read:

14 **941.23 (1)** Any person ~~except a peace officer~~ who goes armed with a concealed
15 and dangerous weapon is guilty of a Class A misdemeanor.

16 **SECTION 3.** 941.23 (2) of the statutes is created to read:

17 **941.23 (2)** Subsection (1) does not apply to any of the following:

18 (a) A peace officer.

1 (b) A probation, extended supervision and parole agent, as defined in s. 940.20
2 (2m) (a) 2., whose primary duty is to locate persons who have absconded from
3 probation, extended supervision or parole and who goes armed while acting in his or
4 her official capacity.

5 **SECTION 4.** 941.235 (2) of the statutes is renumbered 941.235 (2) (intro.) and
6 amended to read:

7 **941.235 (2) (intro.)** This section does not apply to ~~peace~~ any of the following:

8 (a) Peace officers or armed,

9 (b) Armed forces or military personnel who go armed in the line of duty or to
10 any.

11 (c) Any person duly authorized by the chief of police of any city, village or town,
12 the chief of the capitol police or the sheriff of any county to possess a firearm in any
13 building under sub. (1).

14 **SECTION 5.** 941.235 (2) (d) of the statutes is created to read:

15 941.235 (2) (d) A probation, extended supervision and parole agent, as defined
16 in s. 940.20 (2m) (a) 2., whose primary duty is to locate persons who have absconded
17 from probation, extended supervision or parole and who goes armed while acting in
18 his or her official capacity.

19 **SECTION 6.** 941.237 (3) (am) of the statutes is created to read:

20 941.237 (3) (am) A probation, extended supervision and parole agent, as
21 defined in s. 940.20 (2m) (a) 2., whose primary duty is to locate persons who have
22 absconded from probation, extended supervision or parole and who goes armed while
23 acting in his or her official capacity,

24 **(END)**